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AO 91 (Rev. 11/11) Criminal Complaint

Agent:

Jennifer Wrobel

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Pablo Perez-Magdaleno

Case No. Case: 2:25-mj-30084

Assigned To : Unassigned

Assign. Date : 2/24/2025

Description: CMP USA V.

PEREZ-MAGDALENO (DJ)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 18, 2025 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 8, United States Code, Section 1326(a)

Offense Description

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about February 18, 2025, in the Eastern District of Michigan, Southern Division, Pablo Perez-Magdaleno, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about January 3, 2015, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: 2/24/2025City and state: Detroit, MI


Complainant's signature

Jennifer Wrobel, Agent, Border Patrol

Printed name and title


Judge's signature

Anthony P. Patti, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jennifer Wrobel, being first duly sworn, hereby state the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and arrest warrant for Pablo PEREZ-MAGDALENO, for a violation of Title 8, United States Code, Section 1326(a) (Unlawful Re-Entry Following Removal). I have not included every fact known to law enforcement related to this investigation.
2. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, my review of immigration databases and records, and information gained through my training and experience.
3. Based on the facts set forth in this affidavit, there is probable cause to believe that a violation of Title 8, United States Code, Section 1326(a),

(Unlawful Re-Entry Following Removal), has been committed by PEREZ-MAGDALENO.

Probable Cause

5. In February 2025, Border Patrol Agents assigned to Central Region Anti-Smuggling Unit received information that PEREZ-MAGDALENO, an alien who had previously been removed from the United States, had unlawfully re-entered the United States. The information indicated that PEREZ-MAGDALENO was in the United States, and residing at a specific residential address on Russell Avenue, Lincoln Park, Michigan. On February 7, 2025, Border Patrol Agents initiated surveillance at this specific residential address in Lincoln Park. Surveillance at this residential address was also conducted on an additional three days. During this surveillance, an individual fitting the physical characteristics of PEREZ-MAGDALENO was observed exiting or entering this residence on two occasions, the most recent being February 10, 2025. This same individual was observed operating a Beige Ford F-250 SRW Super Duty with visible for-sale signs in the windshield. Records checks indicate PEREZ-MAGDALENO is the registered owner of this vehicle.
6. On February 14, 2025, Border Patrol Agents called the number provided on the for-sale signs of the Beige Ford F-250 SRW Super Duty. A female voice

answered and gave the agents an additional phone number to her boyfriend to discuss the details of the vehicle. Agents called the number given and a male voice answered, gave the name of Pablo, and the Border Patrol Agents requested an appointment to view the vehicle. The male voice stated that the vehicle could be seen on February 18, 2025, at 10:00 a.m. at the Kroger supermarket located on Dix Highway, Lincoln Park, Michigan.

7. On February 18, 2025, at approximately 10:29 a.m., a Lincoln Park Police Officer conducted a traffic stop on a Beige Ford F-250 SRW Super Duty, bearing Michigan License Plate #EVR 8555, for No Insurance on the Plate. This traffic stop occurred on Howard Street in Lincoln Park, Michigan, which is approximately a half mile from the Kroger on Dix Highway. The vehicle was registered to PEREZ-MAGDALENO and was occupied by an adult male.
8. Border Patrol Agents assigned to Central Region Anti-Smuggling Unit responded to assist Lincoln Park Police Officers with identifying the adult male. Border Patrol Agents approached the vehicle and confirmed that the adult male was PEREZ-MAGDALENO. PEREZ-MAGDALENO told Border Patrol Agents that he was a citizen of Mexico and that he did not have any documentation that would allow him to remain in the United States legally. Lincoln Park Police issued PEREZ-MAGDALENO a citation for

Drove While License Suspended/Revoked/Denied, and No Proof of Insurance.

9. After confirming his illegal status in the United States, PEREZ-MAGDALENO was surrendered to Border Patrol Agents, who transported him to the Gibraltar Border Patrol Station for further processing.
10. While at the Gibraltar Border Patrol Station, PEREZ-MAGDALENO's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Next Generation Identification (NGI). The results revealed that PEREZ-MAGDALENO is a citizen of Mexico, with no record of legally entering the United States.
11. A review of PEREZ-MAGDALENO's Alien File shows that on January 2, 2015, PEREZ-MAGDALENO was issued an Expedited Removal at Imperial Beach Border Patrol Station in California.
12. On January 3, 2015, PEREZ-MAGDALENO was removed from the United States through San Luis, Arizona.
13. A criminal history query conducted through Tucson Sector Foreign Operations Branch and confirmed by the Government of Mexico revealed the following arrests involving PEREZ-MAGDALENO:

- June 12, 2018, arrested for Aggravated Assault in Tijuana, Baja California, Mexico. Disposition: Spent 2 days in jail;

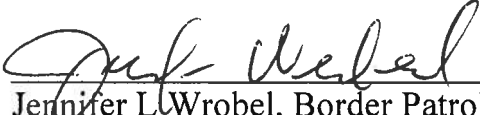
- December 5, 2019, arrested for Aggravated Assault in Tijuana, Baja California, Mexico. Disposition: Spent 1 day in jail;
- March 19, 2021, arrested for Aggravated Assault in Tijuana, Baja California, Mexico. Disposition: Spent 4 days in jail;

14. A review of PEREZ-MAGDALENO's Alien File and queries in computer databases confirm that no record exists of PEREZ-MAGDALENO obtaining permission from the United States Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on January 3, 2015.
15. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.


Conclusion

16. Based upon the above investigation and information, probable cause exists that Pablo PEREZ-MAGDALENO, an alien, is present in the United States, specifically in the Eastern District of Michigan, Southern Division, after

being denied admission, excluded, deported, and removed therefrom on or about January 3, 2015, without obtaining authorization from the Secretary of the United States Department of Homeland Security or the United States Attorney General, to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).


Jennifer L. Wrobel, Border Patrol Agent
U.S. Department of Homeland Security

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Anthony P. Patti
United States Magistrate Judge

February 24, 2025